

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FIDEL DE JESUS *et al.*,

Plaintiffs,

-v-

OYSHI TABLE CORP. *et al.*,

Defendants.
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19-CV-830 (JPC)

ORDER

JOHN P. CRONAN, United States District Judge:

The Court is in receipt of Defendants' motion for partial summary judgment and accompanying materials, Dkts. 76-79, Plaintiffs' memorandum of law in opposition to Defendants' motion and accompanying materials, Dkts. 80-89, and Defendants' reply memorandum, Dkt. 90. It is hereby ORDERED that the Court will hear oral argument on the motion for partial summary judgment on February 8, 2021 at 11:00 a.m. The Court will conduct the oral argument by telephone. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261.

Counsel for all parties specifically should be prepared to address the following issues:


1. Whether Jose Juan Garcia's payroll records for the following weeks, or any others, show a genuine dispute of material fact as to whether he was paid minimum wage or overtime in 2015, 2016, or 2017: May 22, 2015; June 19, 2015; October 9, 2015; April 8, 2016; June 30, 2017; and August 18, 2017. Dkt. 78-3.
2. Whether Cirino Morales's payroll records for the following week, or any others, show a genuine dispute of material fact as to whether he was paid the minimum wage or overtime in 2017: June 30, 2017. Dkt. 78-1.
3. Whether Alfonso Mendez's payroll records for the following week, or any others, show

a genuine dispute of material fact as to whether he was paid spread of hours in 2014:
November 21, 2014. Dkt. 78-7.

4. Whether Alfonso Mendez's statement that he spent approximately \$100 per month on vehicle maintenance and repair creates a genuine issue of material fact as to whether he was paid minimum wage or overtime in 2019 and 2020. Dkt. 86 ¶ 7.

SO ORDERED.

Dated: February 3, 2021
New York, New York



JOHN P. CRONAN
United States District Judge